

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED
ASHEVILLE, N. C.

SEP 12 2005

IN RE: ASBESTOS PRODUCTS LIABILITY
LITIGATION (NO. VI)

CIVIL ACTION NO. MDL 875
U.S. DISTRICT COURT
W. DIST. OF N. C.

This Documents Relates to:

USDC-WDNC

STEVE E. ASHE, et al.,

FILE NO. 1:99-CV-268-T

Plaintiffs,

v.

ACandS, INCORPORATED, et al.,

Defendants.

ORDER OF DISMISSAL

This matter is before the Court upon Motion of the plaintiffs, Robert A. Smith and Marjorie L. Smith, to voluntarily dismiss this action as to defendant Industrial Holdings Corporation (hereinafter "Industrial Holdings") only, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

It appearing that grounds exist to permit plaintiffs to voluntarily dismiss this action with prejudice as to defendant Industrial Holdings, the Court concludes that this motion should be granted.

It is therefore ORDERED, ADJUGED AND DECREED that the action of plaintiffs against defendant Industrial Holdings only, be dismissed with prejudice.

This the 24th day of August, 2005.



Charles R. Weiner
U.S. District Court Judge